

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CALVARY BAPTIST CHURCH,)	
)	
Plaintiff,)	Case No. CIV-15-1283-M
)	
v.)	Garfield County Court
)	Case No. CJ-2014-222
)	
CHURCH MUTUAL INSURANCE)	JURY TRIAL DEMANDED
COMPANY,)	
)	
Defendant.)	

NOTICE AND PETITION FOR REMOVAL

COMES NOW the Defendant, Church Mutual Insurance Company (hereinafter referred to as "Church Mutual"), by and through its counsel, Dan L. Holloway, Kenyatta R. Bethe and Marissa T. Osenbaugh, and petitions this Court for removal of this case to the United States District for the Western District of Oklahoma from the District Court of Garfield County where it was filed as Case Number CJ-2014-222, pursuant to 28 U.S.C. § 1332 and L.Cv.R. 81.2 of the Local Rules of the United States District Court for the Western District of Oklahoma. In support of this Petition, Defendant, Church Mutual, states the following:

1. Plaintiff is Calvary Baptist Church. It is represented by Michael Roberts.
2. Plaintiff has brought this lawsuit against Defendant. It filed a Petition in the District Court of Garfield County on October 2, 2014. See Petition, attached as Exhibit "1".

3. Plaintiff served Defendant, Church Mutual, with a copy of the Petition and Summons on February 20, 2015. See Summons, attached as Exhibit "2".
4. Plaintiff alleges Defendant, Church Mutual, has breached its contractual agreement with Plaintiff.
5. Removal is proper under 28 U.S.C. § 1332 because complete diversity exists between the parties.
6. Specifically, Calvary Baptist Church, is a religious entity located in Garfield County, State of Oklahoma.
7. Defendant, Church Mutual, is an insurance company with its principal place of business located in Merrill, Wisconsin.
8. Moreover, Plaintiff has asserted damages in excess of \$75,000.00.
9. Defendant, Church Mutual, files this notice of removal within the thirty (30) day time period required by 28 U.S.C. § 1446(b).
10. Pursuant to 28 U.S.C. § 1446(a) and L.Cv.R. 81.2, a certified copy of the Docket Sheet from the District Court of Garfield County in Case No. CJ-2014-222 is attached as Exhibit "3". At this time, the undersigned counsel has inquired of the Clerk of the District Court of Oklahoma County and there are no motions filed or pending in state court at the time of this removal.

Respectfully submitted,

s/ Kenyatta R. Bethea

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**ATTORNEYS FOR DEFENDANT
CHURCH MUTUAL INSURANCE**

CERTIFICATE OF SERVICE

This is to certify that on the 18th day of November, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Michael D. Roberts
Roberts Law Office
205 West Maple, Suite 806
Enid, Oklahoma 73701
ATTORNEY FOR PLAINTIFF

s/ Kenyatta R. Bethea

KENYATTA R. BETHEA